

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

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CR-07-00021-001

September 24, 2007  
3:00 p.m.

**UNITED STATES OF AMERICA -v- PETER M. ROGOLIFOI**

PRESENT: HON. ALEX R. MUNSON, Chief Judge Presiding  
SANAE SHMULL, Court Reporter  
MICHELLE MACARANAS, Deputy Clerk  
ERIC O'MALLEY, Assistant U. S. Attorney  
JOSEPH CAMACHO, Court Appointed Counsel for Defendant  
PETER M. ROGOLIFOI, Defendant

PROCEEDING: SENTENCING

Defendant was present with his court appointed counsel, Joseph Camacho. Government by Eric O'Malley, AUSA. Also present was U.S. Probation Officer, Melinda Brunson.

No objection by the government and defendant to the pre-sentence report.

Court adopted the presentence investigation report and instructed the Clerk to file the report, under seal, and that the report be made available if the judgment is appealed. The probation officer's recommendation shall also be placed under seal. No objection by the parties.

Counsel gave their recommendations as to the sentencing guideline range.

Defendant made his allocution.

SENTENCE: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant **PETER M. ROGOLIFOI** is hereby sentenced to **18 months** imprisonment as to Count I with credit for time served. Upon release from imprisonment, the defendant is ordered to serve a term of supervised release of three years which will include the following conditions:

1. The defendant shall not commit another federal, state, or local crime;
2. The defendant shall not unlawfully possess a controlled substance and shall refrain from any unlawful use of a controlled substance. He shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter. Further, the defendant shall submit to a maximum of eight drug tests per month, as directed by the probation officer;
3. The defendant shall submit to the collection of a DNA sample at the direction of the U.S. Probation Office;

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4. The defendant shall comply with the conditions of supervision as adopted by this Court;
5. The defendant shall be prohibited from possessing a firearm or other dangerous weapon, as defined by federal, state, or local law, or have such weapon where he resides;
6. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer;
7. The defendant shall provide the probation officer access to any requested financial information;
8. The defendant shall refrain from the use of all alcoholic beverages and submit to any testing by the U.S. Probation Office to detect for the consumption of alcohol; and,
9. The defendant shall complete 300 hours of community service under the direction of the U.S. Probation Office.

Pursuant to U.S.S.G. § 5E1.1(a)(1), the defendant shall make restitution in the amount of \$1,842.00 for tax year 2005 and \$3,335.00 for tax year 2006 (for a total of \$5,177.00) to the Internal Revenue Service. Payment shall be made to the U.S. District Court of the Northern Mariana Islands, Attn: Clerk of Court, P.O. Box 500687, Saipan, MP, 96950 for disbursement to the IRS at the following address: Internal Revenue Service, Atlanta, Georgia, 39901. Checks sent to the IRS by the Clerk of Court shall reference the defendant's name, social security number, and tax years for which the payments are applicable.

Pursuant to U.S.S.G. § 5E1.2(e), all fines are waived since it has been determined that the defendant does not have the ability to pay. It is further ordered that the defendant pay to the United States a special assessment fee of \$100 to be paid immediately after sentencing. Court recommended that the defendant enroll in a financial management course.

No objection to the sentence by the attorneys. Defendant was advised that he had previously waived his right to appeal the sentence in this case but that if he or his attorney find any other reason in which to appeal that he had ten days in which to do so. Further, the defendant was advised of his right to an attorney for appeal and that the Court will appoint an attorney if he could not afford one.

Court remanded the defendant back into the custody of the U.S. Marshal.

Adj. 3:30 p.m.

/s/ Michelle Macaranas, Deputy Clerk